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103080-P01-029¹

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael West and Karen Chapman
Application No. : 10/685,693
Confirmation No. : 6774
Filed : October 16, 2003
For : METHOD USING GENE TRAPPED STEM CELLS FOR
MAKING PATHWAYS OF STEM CELL DIFFERENTIATION
AND MAKING AND ISOLATING DIFFERENTIATED CELLS
Group Art Unit : 1633
Examiner : Scott Long

New York, New York
November 20, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement set forth in the Office Action mailed May 18, 2006 in the above-identified application, Applicants hereby elect, with traverse, the subject matter of Group I, claims 1-102, for continued examination.

¹ This attorney docket number, 103080-P01-029, replaces previous docket number 60141.0041USU1.

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The Examiner also requests two further species elections. With respect to the species election of nucleotide sequence that encodes a protein, Applicants elect, with traverse, Species Ia, a fluorescent protein. Claims 1-14, 16-80, 83-90, 92, and 94-102 read on the elected species of a fluorescent protein. With respect to the species election of embryonic stem cell, Applicants elect, with traverse, Species I-5, a human embryonic stem cell or germ cell. Claims 1-42, 60-83, and 89-102 read on the elected species of a human embryonic stem cell or germ cell.

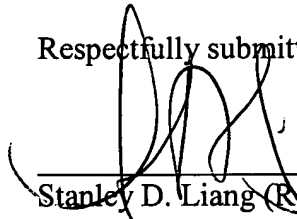
Applicants submit concurrently herewith a Petition for a five-month extension of time under 37 C.F.R. § 1.136(a) and the fee required under 37 C.F.R. § 1.17(a)(5). With the extension of time, the deadline for filing a response is Monday, November 20, 2006 (November 18, 2006 being a Saturday and November 19, 2006 being a Sunday). Accordingly, this response is timely filed.

Applicants expressly reserve the right to pursue the non-elected subject matter in this or subsequent applications that claim benefit from this application or in related applications.

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Applicants request favorable consideration of the application and early allowance
of the pending claims.

Respectfully submitted,



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